REMARKS

Reconsideration of this application is respectfully requested in view of the foregoing amendment and following remarks. Claims 1-12 are currently pending in this application and subject to examination.

In the Office Action mailed June 3, 2005, the Examiner rejected claims 1-12 under 35 U.S.C. § 102(b) as being anticipated by Emmerling, et al. (U.S. Patent No. 6,119,448), (hereinafter, "Emmerling"). The Applicants hereby traverse this rejection, as follows.

Emmerling discloses an exhaust gas purifying apparatus including a NOx detector 17 disposed in an exhaust pipe downstream of a NOx selective reduction catalyst 8, and a "reducing agent supply unit (e.g. 10, 11, 12, 13)". The Office Action asserts that a supply amount determining means 14 determines the amount of reducing agent supplied to said NOx selective reduction catalyst 8 by said "reducing agent supply unit (e.g. 10, 11, 12, 13)" such that the NOx concentration detected by said NOx detector 17 reaches an extreme value, at col. 4, line 5 – col. 6, line 67.

However, in cols. 4-6, Emmerling discloses a method of calculating an amount of reducing agent to be added to the reduction catalyst 8, which does not include an "extreme" value of Nox. Although Emmerling discloses optimizing the amount of reducing agent to be added to an internal combustion engine by performing a series of calculations, Emmerling does not disclose determining a minimum or maximum value of NOx. Rather, the calculations on pages 4-6 of Emmerling are based, in large part, on a fictitious working temperature TA, which is formed of a sliding average value of the temperature at the inlet of the catalytic converter (to compensate for temperature peaks)

combined with other catalyst relevant temperatures, including the temperature at the catalytic converter inlet and outlet.

Emmerling does not disclose or suggest determining the amount of reducing agent supplied to the NOx selective reduction catalyst by said reducing agent supply unit such that the NOx concentration detected by said NOx detector reaches an extreme value, as recited in claims 1-12.

For at least this reason, Applicants submit that claims 1-12, are allowable over the Emmerling.

CONCLUSION

For all of the above reasons, it is respectfully submitted that the claims now pending patentability distinguish the present invention from the cited references. Accordingly, reconsideration and withdrawal of the outstanding rejections and an issuance of a Notice of Allowance are earnestly solicited.

Should the Examiner determine that any further action is necessary to place this application into better form, the Examiner is encouraged to telephone the undersigned representative at the number listed below.

In the event this paper is not considered to be timely filed, the Applicants hereby petition for an appropriate extension of time. The Commissioner is hereby authorized to charge any fee deficiency or credit any overpayment associated with this communication to Deposit Account No. 01-2300.

Respectfully submitted,

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